

City Council Introduction: **Monday**, May 16, 2005
Public Hearing: **Monday**, May 23, 2005, at **5:30 p.m.**

Bill No. 05R-101

FACTSHEET

TITLE: A Resolution approving and adopting a proposed **amendment to the NORTH 27TH STREET CORRIDOR AND ENVIRONS REDEVELOPMENT PLAN**, requested by the Director of the Urban Development Department.

SPONSOR: Planning Department

BOARD/COMMITTEE: Planning Commission
Public Hearing: 04/27/05
Administrative Action: 04/27/05

STAFF RECOMMENDATION: A finding of conformance with the Comprehensive Plan.

RECOMMENDATION: A finding of conformance with the Comprehensive Plan (8-0: Carroll, Marvin, Krieser, Sunderman, Carlson, Taylor, Larson and Bills-Strand voting 'yes'; Pearson declaring a conflict of interest).

ASSOCIATED REQUESTS: Change of Zone No. 05028 (05-57) and Street & Alley Vacation No. 05004 (05-58).

FINDINGS OF FACT:

1. This proposed amendment to the **North 27th Street Corridor and Environs Redevelopment Plan** will add three city-owned lots to what is already identified in the plan as "*Project No. 7. 27th & Apple: Commercial Redevelopment*". The proposed amendment includes several text changes that allow for the inclusion of the three city-owned lots for the purpose of redevelopment to accommodate future commercial uses and/or green space in conjunction with the pedestrian trail. The proposed amendment will also add the demolition of existing structures.
2. This amendment to the Redevelopment Plan was heard before the Planning Commission at the same time as Change of Zone No. 05028, from I-1 Industrial to B-3 Commercial, at N. 27th and Apple Streets, and Street Vacation No. 05004, to vacate the north/south alley extending south from Apple Street, between 27th and 29th Streets.
3. The staff recommendation to find the proposed amendment to the Redevelopment Plan to be in conformance with the Comprehensive Plan is based upon the "Analysis" as set forth on p.4-7, concluding that the Comprehensive Plan identifies a number of implementation strategies that support a finding that the proposed amendment generally conforms to the Comprehensive Plan.
4. The testimony by Ernie Castillo on behalf of the Urban Development Department is found on p.8.
5. There was no testimony in opposition.
6. On April 27, 2005, the Planning Commission agreed with the staff recommendation and voted 8-0 to find the proposed amendment to be in conformance with the Comprehensive Plan (Pearson declaring a conflict of interest).

FACTSHEET PREPARED BY: Jean L. Walker

DATE: May 9, 2005

REVIEWED BY: _____

DATE: May 9, 2005

REFERENCE NUMBER: FS\CC\2005\CPC.05002

LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

for April 27, 2005 PLANNING COMMISSION MEETING

PROJECT#: Comprehensive Plan Conformity #05002

PROPOSAL: This is a request from the Director of the Urban Development Department to review a proposed amendment to the *North 27th Street Corridor and Environs Redevelopment Plan*.

The proposed amendment includes several text changes that allow for the inclusion of property for the purpose of redevelopment to accommodate future commercial uses and/or greenspace in conjunction with pedestrian trail.

CONCLUSION: The Comprehensive Plan identifies a number of implementation strategies that support a finding that the proposed amendment to the *North 27th Street Corridor and Environs Redevelopment Plan* generally conforms to the Comprehensive Plan.

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| <u>RECOMMENDATION:</u> | Conformance with the Comprehensive Plan |
|-------------------------------|---|

GENERAL INFORMATION:

LOCATION: 27th and Apple Streets

PURPOSE: The 2025 Comprehensive Plan identifies the *North 27th Street Corridor Plan* as a subarea plan that is part of the Comprehensive Plan. (F 156) The *North 27th Street Corridor and Environs Redevelopment Plan* is the redevelopment plan that puts the *North 27th Street Corridor Plan* into practice. Pursuant to LMC §4.48.070, the Planning Commission is required to review proposed amendments to the Comprehensive Plan. Therefore, an amendment to a subarea plan should be reviewed for conformity to the Comprehensive Plan. Also, NEB REV STAT § 18-2112 requires the Planning Commission to review a redevelopment plan as to its conformity with the Comprehensive Plan.

EXISTING ZONING: I-1 Industrial District

EXISTING LAND USE: Vacant lots (former Carpenters Union Hall has been demolished; all lots owned by the City of Lincoln).
Residential located east and north. Existing north-south alley to be vacated.

ASSOCIATED APPLICATIONS: Change of Zone #05028 (I-1 to B-3)
Street/Alley Vacation #05004

COMPREHENSIVE PLAN SPECIFICATIONS:

This property is designated as Industrial in the Land Use Plan. (F 25)

Maximize the community's present infrastructure investment by planning for residential and commercial development in areas with available capacity. (F 17)

Encourage mixed-use redevelopment, adaptive reuse, and in-fill development including residential, commercial and retail uses. These uses may develop along transit routes and provide residential opportunities for persons who do not want to or cannot drive an automobile. (F 18)

The land use plan displays the generalized location of each land use. It is not intended to be used to determine the exact boundaries of each designation. The area of transition from one land use is often gradual. The Comprehensive Plan also encourages the integration of compatible land uses, rather than a strict segregation of different land uses. (F 27)

Infill commercial development should be compatible with the character of the area and pedestrian oriented. (F 49)

Maintain and encourage retail establishment and businesses that are convenient to, and serve, neighborhood residents, yet are compatible with, but not intrusive upon residential neighborhoods. (F 49)

Create housing opportunities for residents with special needs throughout the city that are compatible with residential neighborhoods. (F 66)

Expansion in existing [commercial] centers should not encroach, or expand to encroach, on existing neighborhoods, and commercial areas must be screened from residential areas. (F 69)

Public property, especially publicly owned historic property, is a community trust and should be maintained, preserved, and utilized in an exemplary fashion. Most historic property is and should be privately maintained. (F 141)

The demolition of significant historic properties...diminishes the character of our community. The Plan encourages the continued use and maintenance of historic resources, including properties not formally designated as landmarks. (F 141)

Strategies for Historic & Cultural Resources (F 142)

Adopt as public policy the careful stewardship of significant, publicly owned historic resources, including a full and open examination of alternatives when major alterations or demolition are considered.

THE NORTH 27th STREET CORRIDOR PLAN SPECIFICATIONS:

The 27th Street Concept Plan proposes a mixed use framework, using the street as an environment for both business and living. (page 36)

Areas that require redevelopment are proposed for redevelopment in ways designed to strengthen existing commercial and residential investment. (page 36)

A principle of the concept plan is the separation, to the degree possible, of local and through traffic movements. (page 37)

The concept plan is based on the establishment of defensible edges between residential and non-residential uses. The concept of defensible edges, using streets or greenways to provide boundaries, realizes the benefits of mixed use while screening the negative effects of commercial growth on residential environments. (page 37)

Requiring new projects to provide direct connection from front door of business to 27th Street sidewalks. Design which requires pedestrian to cross parking lots in order to get businesses should be discouraged. (page 38)

Whenever possible, encourage project designs which place commercial buildings rather than parking lots along the street. Setbacks should be adequate to provide for separation from traffic and adequate landscaping; however, the pedestrian should be engaged with the building, rather than parking lots. Parking should generally be developed to the side or rear of commercial buildings. (page 38)

Potential projects and development opportunities in this part of the corridor include:

"Greening" of the railroad spur between Apple and W Streets. This corridor would receive major landscaping; in addition, a vacant parcel east of the Union Hall would be developed as a neighborhood park. The Mo Pac Trail would be extended through the corridor; trail development may include an overpass over 27th Street. (page 48)

The Concept Plan, illustrated in detail on page 49 identifies a new neighborhood park on vacant property east of the Union Hall; extensive landscaping of the railroad corridor; extension of the Mo Pac Trail to the west; and a future grade separated trail crossing. The Concept Plan also shows Apple Street terminating with a new North 28th Street, which would run from "Y" Street to Vine Street. Apple Street would not exist between North 27th and North 28th Streets.

ANALYSIS:

1. This is a request to review a proposed amendment to the *North 27th Street Corridor and Environs Redevelopment Plan* for a determination of conformity with the Comprehensive Plan. The amendment adds three City-owned lots and an alley along with other language to the Redevelopment Plan for the purpose of proving flexibility in the implementation of redevelopment activities.
2. The *North 26th/27th Street Redevelopment Area, Lincoln, Nebraska, Blight and Substandard Determination Study* determined that the area was blighted and substandard. The City Council declared the area blighted and substandard on June 19, 2000.
3. The most recent update to the *North 27th Street Corridor and Environs Redevelopment Plan* was adopted by the City Council on June 2, 2003. The *North 27th Street Corridor and Environs Redevelopment Plan* superseded all previous redevelopment plans and amendments that cover an area generally bounded by "N" Street on the south; the viaduct over the Burlington Northern Santa Fe right-of-way parallel to the Cornhusker Highway on the north; 23rd Street on the west; and 31st Street on the east. This proposed amendment includes buildings and property that are within the existing boundary of the Redevelopment Plan area.
4. The Comprehensive Plan acknowledges the community's longstanding efforts to protect and improve the areas around the North 27th Street business district and neighborhood.

5. The acquisition of this property for redevelopment purposes was not identified in the most recent update of *North 27th Street Corridor and Environs Redevelopment Plan*.
6. This proposal will amend the commercial redevelopment activities identified in the *North 27th Street Corridor and Environs Redevelopment Plan*. This includes several specific text changes (attached).
 - 6.1 On page 29, under the heading Redevelopment Activities: Commercial, paragraph 2:
 - Change from "Hartz & Braces's Sub Ex St Lot 25 & N 26.7' Lot 26" to "Acquisition and demolition of Hartz & Brace's Ex St Lot 25 & N 26.7', Lot 26, 28, 29, 30"
 - Add "Change of zone from I-1 to B-3 for Hartz & Bruce's Sub Ex St Lot 25 & N 26.7', Lot 26, 28, 29, and 30"
 - Change "Pave Alley" to "Vacate existing alley"
7. The addition of property adjacent the former Carpenters Union Hall building and land appears to provide more flexibility in the redevelopment of this site.
8. By adding these lots to the Redevelopment Plan, the City will be able to have an active role in the redevelopment of this site. Pursuant to NEB REV STAT §18-2108, the City shall not acquire real property for a redevelopment project unless the redevelopment plan is approved. Once approved, this amendment will add this property to the *North 27th Street Corridor and Environs Redevelopment Plan*.
9. The Carpenters Union Hall was purchased by the City of Lincoln in June 2003 for redevelopment purposes. The Hall has been demolished and the site cleared for a redevelopment project.
10. Appendices to the *North 27th Street Corridor and Environs Redevelopment Plan* provide a list of properties to be acquired. Upon approval of this amendment, the appropriate appendix should be amended to include this property.
11. The Comprehensive Plan states that land uses are intended to be generalized locations only, and in practice should be gradual transitions between uses rather than a strict segregation of different uses.
12. The *North 27th Street Corridor and Environs Redevelopment Plan* Future Land Use map shows this property as Commercial (page 36). The Comprehensive Plan's Future Land Use map identifies these lots as Industrial (page F 25). In this case, the Redevelopment Plan should be acknowledged as providing more specific guidance regarding appropriate land uses when redevelopment activities are reviewed.

13. Approved redevelopment activities could generate Tax Increment Financing from private development to pay for public infrastructure and improvements.
14. The Public Works Department has no objections to adding the City owned parcels to the redevelopment plan. Additionally, Public Works states:
 - 14.1 Before the City owned lots are sold, it should be determined if construction easements will be needed for construction of the trail bridge over 27th Street adjacent these lots.
15. The Parks and Recreation Department states that a bicycle/pedestrian bridge is proposed for this location and that Peter Pan Park is the neighborhood park.
16. The North 27th Street Corridor Plan identifies a number of proposed concepts for the parcels included in this redevelopment project area. Specifically, the elimination of a portion of Apple Street, creation of a new North 28th Street, and development of a new neighborhood park are identified concepts for possible redevelopment activities, but are not requirements. These concepts are not being pursued with this redevelopment project.
17. The predominant zoning district for commercial uses in the North 27th Street corridor is the B-3 Commercial district. The types of uses and lot standards allowed by the I-1 Industrial zoning district are different than those allowed by the B-3 Commercial zoning district. A B-3 Commercial district designation would allow this property to serve in a transitional role between the commercial uses along 27th Streets and protect the neighboring residential uses to the east and north.
18. The selected redevelopment project should consider additional landscape screening to mitigate impacts to adjacent residential properties to the east and north. The railroad right of way will provide for the future location of a public bike and pedestrian trail and a grade separated crossing over N. 27th Street. Appropriate landscaping, site, utilities and building arrangement, open space and/or other appropriate techniques should be included in the project to ensure compatibility between the redevelopment project and future public amenities.
19. The proposed redevelopment project has generally been described as commercial in nature. Exhibits of the site plan and elevations are attached. Such a use would be permitted under the I-1 or B-3 zoning district. For the long term protection of the corridor, future trail and public amenities, and the residential uses in the vicinity, the Planning Department agrees with rezoning these parcels from I-1 Industrial District to B-3 Commercial District.
20. The Planning Department recommends deed restrictions be utilized to limit the types of uses to those characterized as transitional.

21. With deed restrictions used, the Planning Department recommends this amendment be found to be in conformance with the Comprehensive Plan.
22. The Comprehensive Plan recommends that all redevelopment projects be reviewed by the City of Lincoln Urban Design Committee. The Committee is charged with advising the Mayor, City Council, Planning Commission, city boards, and city departments on the design of city buildings and other public projects, major public/private developments, and any private projects constructed on city right of way or other city property (page F 129, Comprehensive Plan).
23. At the Urban Design Committee meeting of April 6, 2005, the Committee recommended approval of the redevelopment project with suggestions for improved plant materials and landscaping screening plan. The Committee's discussion included favorable comments on the placement of the building near N. 27th Street, and the location of the parking behind the building (east) off Apple Street. These comments should be included within the redevelopment agreement to be developed between the City of Lincoln and the redeveloper.

Prepared by:

Duncan Ross, AICP
441-7603, dross@lincoln.ne.gov
Planner

DATE: April 18, 2005

Applicant: Marc Wullschleger, Director
Urban Development Department
808 P Street, Suite 400
Lincoln, NE 68508
441.7606

Contact: Ernie Castillo
Urban Development Department
808 P Street, Suite 400
Lincoln, NE 68508
441.7855

**COMPREHENSIVE PLAN CONFORMANCE NO. 05002,
CHANGE OF ZONE NO. 05028
and
STREET & ALLEY VACATION NO. 05004**

PUBLIC HEARING BEFORE PLANNING COMMISSION:

April 27, 2005

Members present: Carroll, Marvin, Krieser, Sunderman, Carlson, Taylor, Larson and Bills-Strand; Pearson declared a conflict of interest.

Staff recommendation: A finding of conformance with the Comprehensive Plan on the amendment to the Redevelopment Plan; approval of the change of zone; and a finding of conformance with the Comprehensive Plan on the street vacation.

Ex Parte Communications: None.

Proponents

1. Ernie Castillo of the **Urban Development Department** presented the proposal. The North 27th Street Corridor and Environs Redevelopment Plan amendment allows the addition of three city-owned lots along with the alley for redevelopment of the project. The City originally purchased the three lots along with the railroad corridor for the MoPac Trail and the trail corridor will stay as is. The change of zone to B-3 is more appropriate for this project and for the future of the North 27th Street Corridor. It also eliminates the I-1 zoning abutting the residential use to the east and across Apple St. to the north. The alley vacation is needed for redevelopment of the site. The developer will purchase part of the vacated alley for their project and the city will retain easement for the existing utilities located in the alley.

The specific project is Heartland Optical, which has been in business for 30 years on North 27th Street. It is a successful family-owned small business, expanding their services to include retail eyewear, etc. This is a great project for the neighborhood and for the North 27th Street Corridor, and complements the health center across the street.

Carlson stated that he likes the plan, the building and the use. He noted from page 3 of the staff report: "The Concept Plan...identifies a new neighborhood park on vacant property east of the Union Hall." Carlson wondered whether this "changes gears a little bit. Is that in the mix of the trail? Castillo advised that there is a neighborhood park plan for the east side of 27th Street, so that is still intact. These three lots are being added to give more flexibility to the project. The park land is still there.

Duncan Ross of Planning staff added that the language in the staff report attempts to reflect what is in the corridor plan (the actual subarea plan for N. 27th Street), which identifies a number of concepts for future redevelopment activities. The concepts are more part of an overall vision goal, and when it comes to redevelopment activities, those

concepts are assessed at that time. This project still provides for a small park amenity in conjunction with the future trail and overpass. A more elaborate park is not included with this project.

There was no testimony in opposition.

COMPREHENSIVE PLAN CONFORMANCE NO. 05002

ACTION BY PLANNING COMMISSION:

April 27, 2005

Carlson moved a finding of conformance with the Comprehensive Plan, seconded by Carroll.

Carlson was concerned about the trail but he is now satisfied.

Motion carried 8-0: Carroll, Marvin, Krieser, Sunderman, Carlson, Taylor, Larson and Bills-Strand voting 'yes'; Pearson declaring a conflict of interest. This is a recommendation to the City Council.

CHANGE OF ZONE NO. 05028

ACTION BY PLANNING COMMISSION:

April 27, 2005

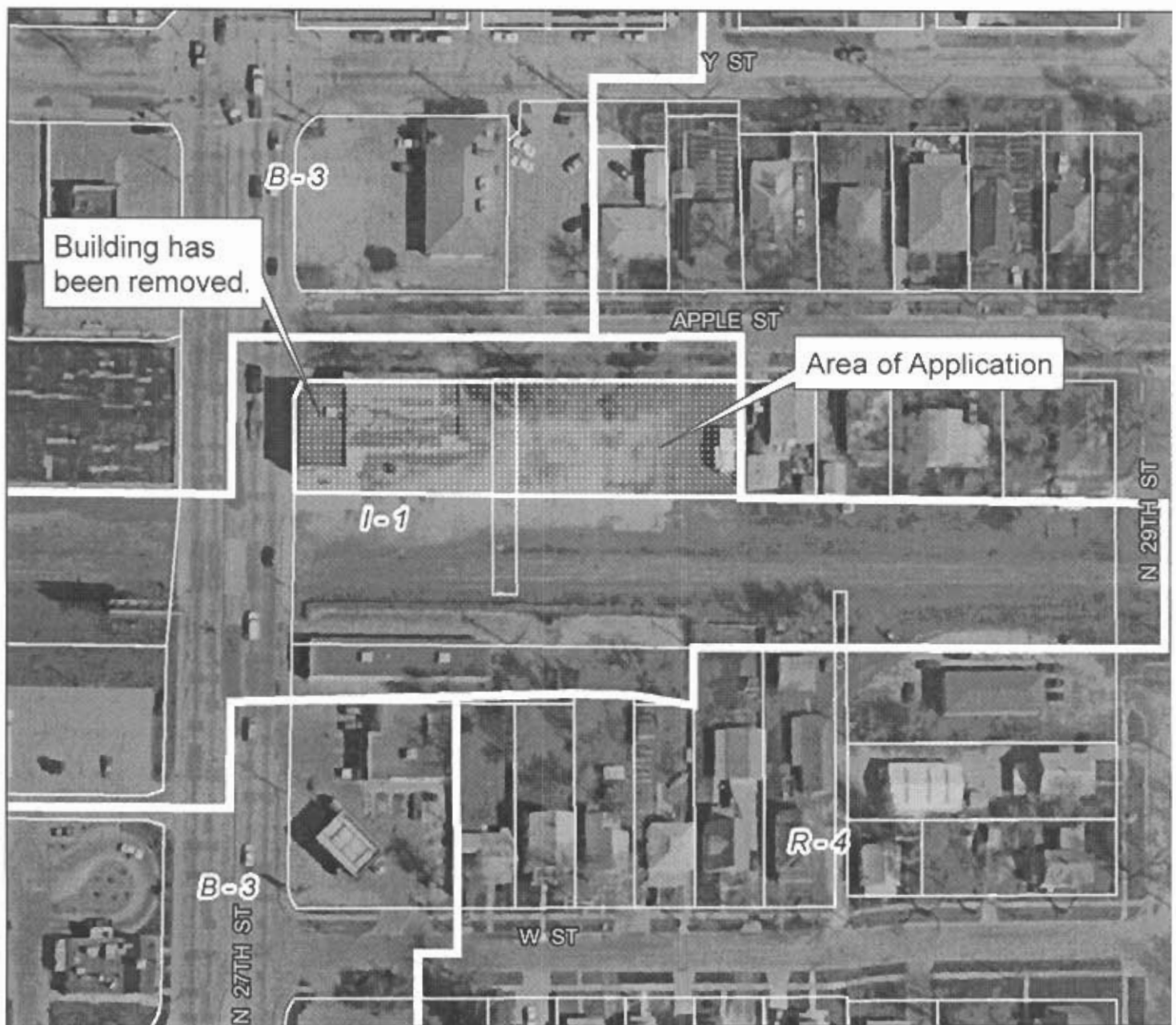
Marvin moved approval, seconded by Carroll and carried 8-0: Carroll, Marvin, Krieser, Sunderman, Carlson, Taylor, Larson and Bills-Strand voting 'yes'; Pearson declaring a conflict of interest. This is a recommendation to the City Council.

STREET & ALLEY VACATION NO. 05004

ACTION BY PLANNING COMMISSION:

April 27, 2005

Carroll made a motion for a finding of conformance with the Comprehensive Plan, seconded by Marvin and carried 8-0: Carroll, Marvin, Krieser, Sunderman, Carlson, Taylor, Larson and Bills-Strand voting 'yes'; Pearson declaring a conflict of interest. This is a recommendation to the City Council.



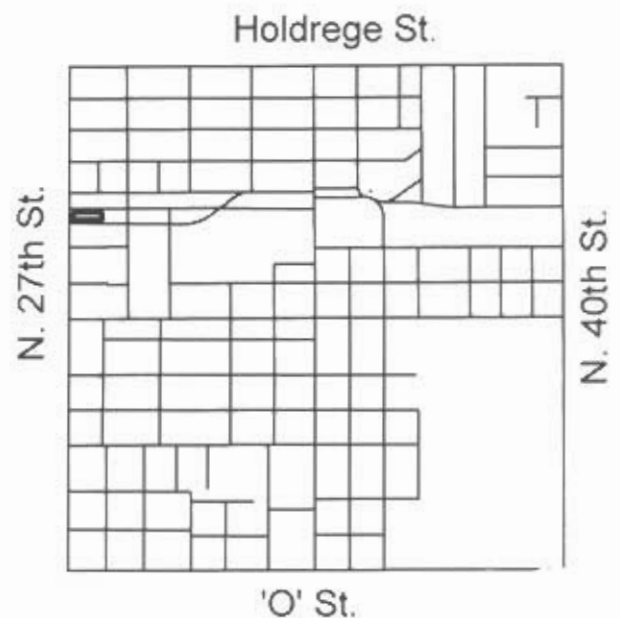
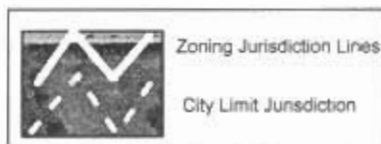
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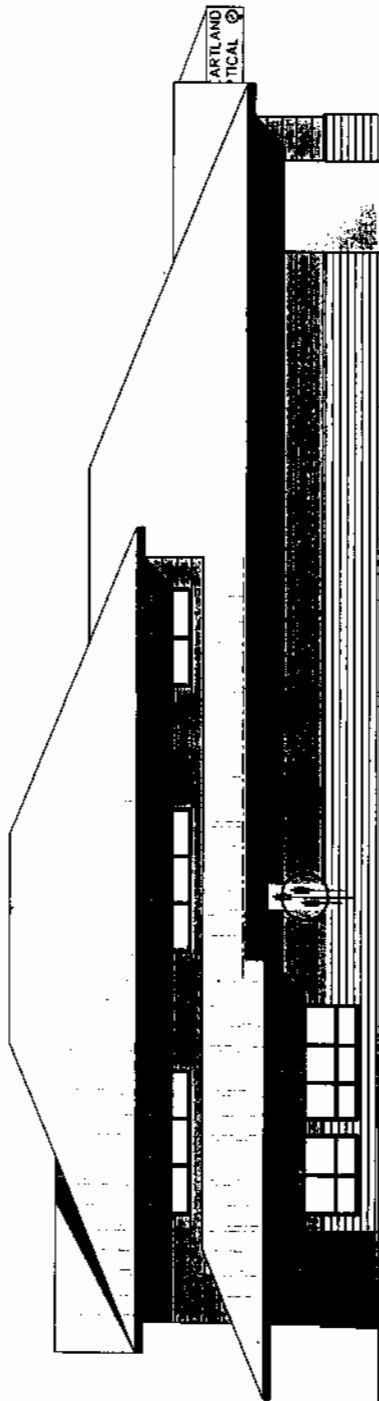
Comp. Plan Conformance #05002 N 27th St. Corridor and Environs

Zoning:

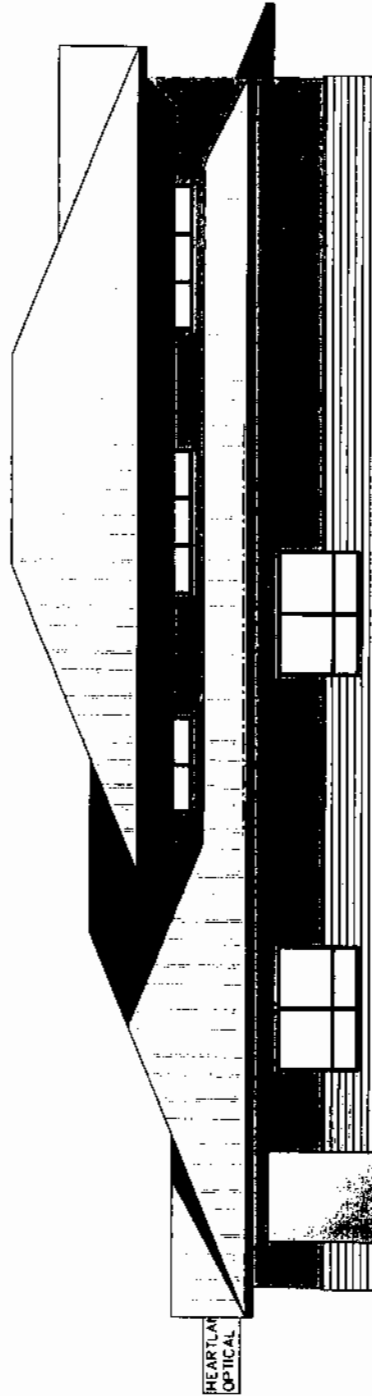
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|------------|--|
| R-1 to R-8 | Residential District |
| AG | Agricultural District |
| AGR | Agricultural Residential District |
| R-C | Residential Conservation District |
| O-1 | Office District |
| O-2 | Suburban Office District |
| O-3 | Office Park District |
| R-T | Residential Transition District |
| B-1 | Local Business District |
| B-2 | Planned Neighborhood Business District |
| B-3 | Commercial District |
| B-4 | Lincoln Center Business District |
| B-5 | Planned Regional Business District |
| H-1 | Interstate Commercial District |
| H-2 | Highway Business District |
| H-3 | Highway Commercial District |
| H-4 | General Commercial District |
| I-1 | Industrial District |
| I-2 | Industrial Park District |
| I-3 | Employment Center District |
| P | Public Use District |

One Square Mile
Sec. 24 T10N R6E






SOUTH ELEVATION
SCALE: 1/16" = 1'-0"

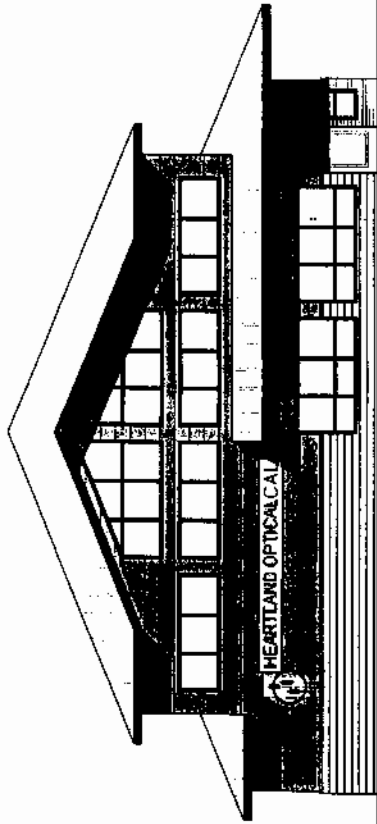


NORTH ELEVATION
SCALE: 1/16" = 1'-0"

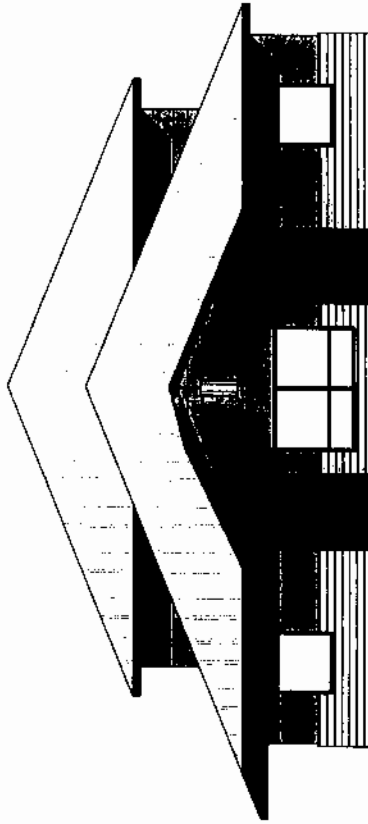
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|---|------------------------|--|---|
|  Pearson Architects 645 M St., #103 Lincoln, NE 68508 P 402.474.1851 F 402.474.1020 | | Project Title: HEARTLAND OPTICAL | Description: ELEVATIONS 1/16" = 1'-0" |
| Project No.: 0448 | Drawn By: corcoran | Project Title: HEARTLAND OPTICAL | |
| Checked By: pearson | Date Issued: 29 Nov 04 | | |
| Date Issued: 29 Nov 04 | | | |

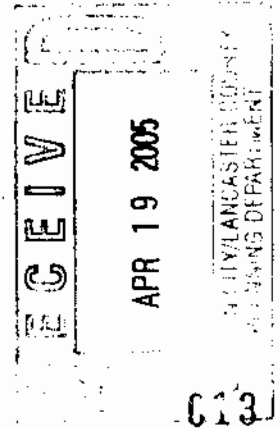
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EAST ELEVATION
SCALE: 1/16" = 1'-0"



WEST ELEVATION
SCALE: 1/16" = 1'-0"



Pearson Architects
645 M Str. #103 Lincoln, NE 68508
p 402.474.1851 f 402.474.1020

Project No.: 0448

Drawn By: corcoran

Checked By: pearson

Date Issued: 29 Nov 04

Project Title:

HEARTLAND OPTICAL

Description:

ELEVATIONS
1/16" = 1'-0"



CITY OF LINCOLN
NEBRASKA

MAYOR COLEEN J. SENG

www.ci.lincoln.ne.us

Urban Development Department
Marc Wullschleger, Director
Haymarket Square
808 "P" Street
Suite 400
Lincoln, Nebraska 68508
402-441-7606
fax: 402-441-8711

March 9, 2005

Marvin Krout
Planning Director
Lincoln/Lancaster County Planning Department
555 S. 10th Street
Lincoln, NE 68508

Dear Marvin:

Please find enclosed an amendment request to the *North 27th Street Corridor and Environs Redevelopment Plan*. This amendment is to the project identified in the plan as number seven, 27th & Apple: Commercial Redevelopment, under the section entitled Redevelopment Activities: Commercial, on page 29 of the document.

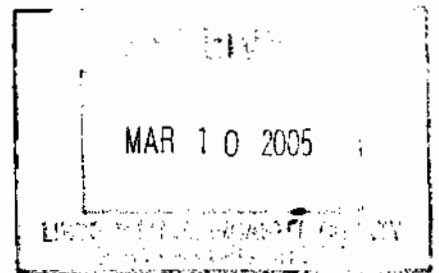
This amendment will add three city-owned lots to what is already identified for this project. The lots are identified as Hartz & Braces' Sub Lots 28, 29, and 30. The amendment will also add the demolition of existing structures.

Please forward the amendment to the Planning Commission for their consideration. If you have any questions please call Ernie Castillo at 441-7855.

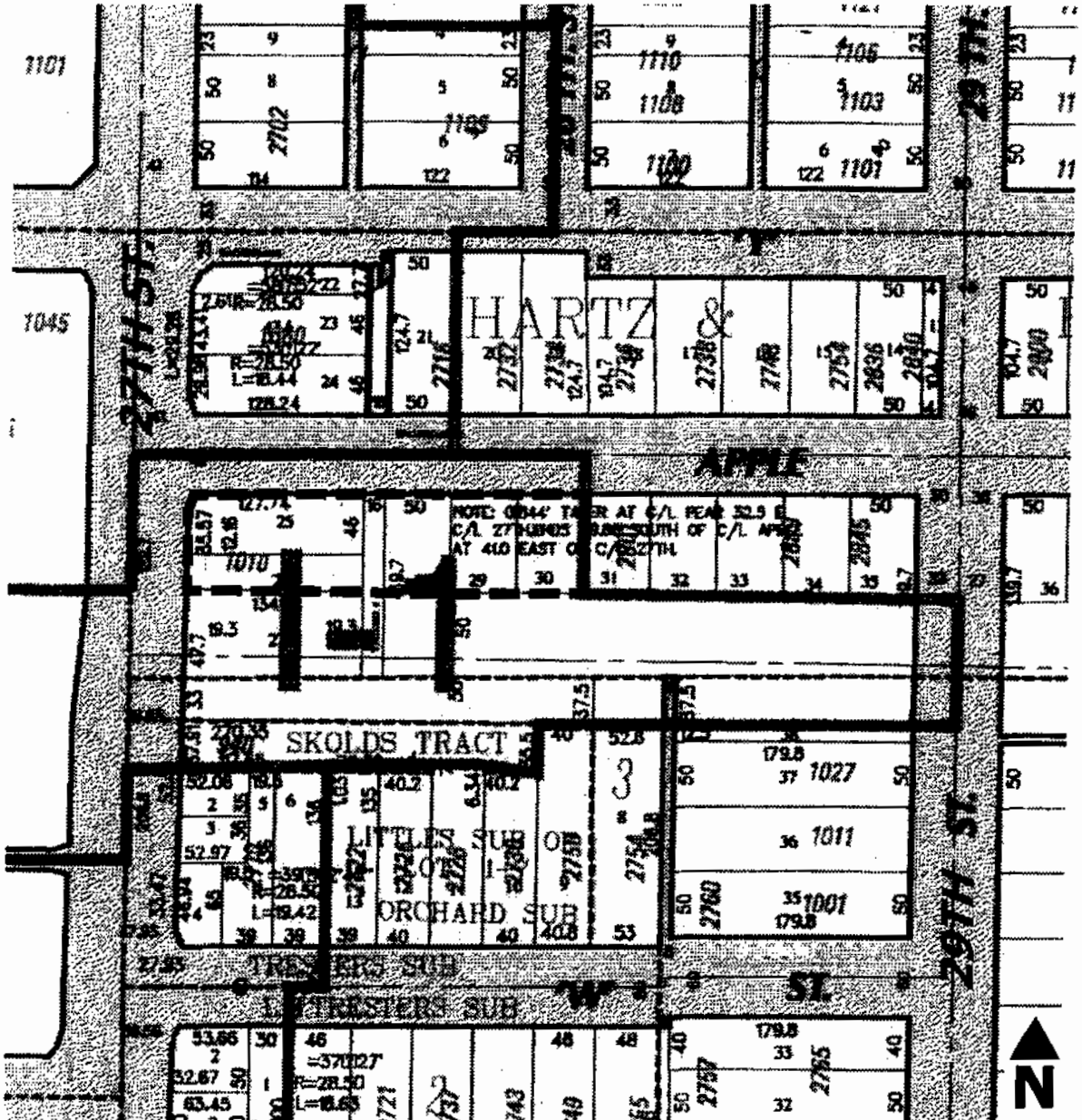
Sincerely,

Marc Wullschleger, Director
Urban Development Dep.

cc: Wynn Hjermstad
Joel Pedersen



Commercial Redevelopment Site



City-owned parcels



Zoning Boundaries, specifically I-1 for the City-owned parcels

Block 1, Trester's Addition, also known as 1025 North 27th Street; and Lots 7, 8, 9 and 10, Block 1, Trester's Addition, and vacated north-south alley adjacent, also known as 1017 North 27th Street

- Relocation of tenants
- Demolition of existing structures
- Pave and landscape driveways, approaches and sidewalks outside property line and any off-street parking
- Vacate existing alley
- Rezone acquired Union Pacific Railroad ROW from industrial to public
- Relocate/upgrade utilities as needed

7. 27th and Apple: Commercial Redevelopment and/or greenspace in conjunction with pedestrian trail. Project elements include:

- Acquisition and demolition of Hartz & Brace's Sub Ex St Lot 25 & N 26.7' Lot 26, 28, 29, 30
- Change of zone from I-1 to B-3 for Hartz & Brace's Sub Ex St Lot 25 & N 26.7' Lot 26, 28, 29, and 30
- Eliminate driveway on North 27th Street
- Secure easements
- ~~Pave alley~~
- Vacate existing alley
- Pave off-street parking
- Relocate/upgrade utilities

8. 27th and Holdrege: Mixed use development. Acquire marginal commercial areas and redevelop small neighborhood retail center, approximately 9,000 square feet, on southwest corner. Project activities include:

- Property Acquisition: Cooley's Addition, Lots 1, 2, and 3, excluding Street ROW
- Relocation of tenants
- Demolition of current buildings
- Construct new driveway onto 26th Street.
- Pave alley
- Pave off-street parking
- Relocate/upgrade utilities

9. West side of 27th Street but east side of the block between S and T Streets: Eight blighted properties have been acquired by the City, tenants relocated and buildings demolished. Continue land assembly and redevelop this City owned property to office/commercial. Project elements include:

- Property acquisition: Hawley's Addition, Lot B, except east part for street and except E81.22' 546' and 5 ½ of Lot C, except east 8.5 feet.
- Pave alley
- Relocate/upgrade utilities